

HEPPENSTALL TECHNOLOGY AG

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Ms. Maria Goodine (3HS62)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
USA

Our Ref. :FE

Cham, 09. April 2013

RE: Required Submission of Information

Lower Darby Creek Area Superfund Site,

Operable Unit 1 – Clearview Landfill

Darby Township, Delaware Country and Philadelphia, Pennsylvania

Dear Ms Maria Goodine

We make reference to your information request in this matter and our following correspondence by e-mail, whereby you kindly extended the deadline for our response until April 16, 2013. Please find attached our answers to the questionnaire as per Enclosure E of the information request.

We regret to advise you that we are not in a position to answer most of the questions listed, because we simply do not have any knowledge related thereto. This is due to the fact that there is no corporate connection between Heppenstall Technology AG (a Swiss company) and MIDVALE STEEL COMPANY or MIDVALE HEPPENSTALL CORPORATION. As the information request has been addressed to "Heppenstall Technology AG, For Midvale Steel Company", we think it even possible that the information request might have been sent to our address in mistake. We must therefore inform you that we, Heppenstall Technology AG in Cham, Switzerland, are neither affiliated with MIDVALE STEEL COMPANY or MIDVALE HEPPENSTALL CORPORATION, nor are we in any way acting as their forwarding address, representative or process agent.

Heppenstall Technology AG was incorporated in 2006 in Cham, Switzerland, and is producing heavy duty handling equipment. Heppenstall Technology AG only has the right to use the brand «Heppenstall» in connection with such heavy duty handling equipment in specific countries outside of the United States of America.

Heppenstall Technology AG is not and was never involved in any steel production, neither in the US nor anywhere else worldwide. Heppenstall Technology AG does not own or operate any facilities or factories in the United States of America. Heppenstall Technology AG never assumed any liabilities, assets or contracts from MIDVALE STEEL COMPANY, MIDVALE HEPPENSTALL CORPORATION, or that have a relation to any business in the US or the steel production business in general. Heppenstall Technology AG never was nor currently is in any way affiliated with MIDVALE STEEL COMPANY or MIDVALE HEPPENSTALL CORPORATION.

It is in this context that our answers to the questionnaire must be considered. Nevertheless, we hope that the information provided is of help and in line with your requirements.

We would be grateful to receive a written confirmation from EPA that Heppenstall Technology AG is not considered a Potentially Responsible Party.

Yours faithfully

HEPPENSTALL TECHNOLOGY AG

  **HEPPENSTALL**
TECHNOLOGY AG
CH-6330 Cham 2 · Switzerland

B. Stocker

Managing Director

Enclosures:

- Answers to the Questions of Enclosure E to the Information Request
- Excerpt from the commercial register of the Canton of Zug



Answers to the Questions of Enclosure E to the Information Request

Remarks:

- As per the definition in Enclosure E to the information request, the term «MIDVALE» refers collectively to the MIDVALE STEEL COMPANY and the MIDVALE HEPPENSTALL CORPORATION that operated in the Philadelphia area (southeastern Pennsylvania and southern New Jersey) during the 1960s and 1970s.
- The term «HTAG» refers to Heppenstall Technology AG, Switzerland.

Question 1:

- HTAG was incorporated in 2006 (see excerpt from the commercial register of the Canton of Zug).
- HTAG never had nor currently has any corporate relationship with MIDVALE.
- HTAG never was involved in any mergers and acquisitions, name changes, asset purchases/sales or similar involving MIDVALE.
- HTAG was granted a license right to use the brand «Heppenstall» from Heppenstall Holding AG (in Cham, Switzerland) in 2006. In 2010, the rights in this brand were assigned to and purchased by HTAG. HTAG has no corporate relationship and never had any with Heppenstall Holding AG.
- The right of HTAG to use the brand «Heppenstall» was always and is still today limited in scope to heavy duty handling equipment and to designated geographical areas, which areas specifically *exclude* the United States.

Question 2:

- No. HTAG is not the successor to any liabilities, including liability under CERCLA, associated with MIDVALE.

Question 3:

- See the answer to Question 1. There is no corporate relationship between HTAG and MIDVALE.

Question 4:

- HTAG has no business or activity in the Philadelphia area or in any of the United States. The company address of HTAG is Gewerbestrasse 5, 6330 Cham, Switzerland.



Question 5:

- HTAG has no information or knowledge about MIDVALE's business or activities.

Question 6:

- HTAG has no information or knowledge about MIDVALE's employees, operations or waste disposal practices.

Question 7:

- HTAG has no information or knowledge about MIDVALE's facilities or hazardous substances.

Question 8:

- HTAG has no information or knowledge about MIDVALE's by-products, wastes or facilities.

Question 9:

- HTAG has no information or knowledge about MIDVALE's contracts or arrangements.

Question 10:

- HTAG has no information or knowledge about MIDVALE's employees.

Question 11:

- HTAG has no information or knowledge about MIDVALE's disposal or treatment activities.

Question 12:

- HTAG has no information or knowledge about any spills or releases at Clearview.

Question 13:

- HTAG has no information or knowledge about any environmental assessments or investigations relating to contamination at Clearview.

Question 14:

- HTAG has no information responsive to this question.



Question 15:

- Person answering these questions:
Beat Stocker, Managing Director and Delegate of the Board of Directors
- Contact information:
Heppenstall Technology AG, Beat Stocker, Gewerbestrasse 5, 6330 Cham, Switzerland

Question 16:

- Future correspondence to Heppenstall Technology AG should be directed to:

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Beat Stocker
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CH-6330 Cham 2, Switzerland

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Question 17:

- There are no documents responsive to this information request that are not provided herewith.



Kanton Zug

COMMERCIAL REGISTER OF CANTON ZUG

Identification number CH-170.3.029.285-3	Legal status Limited or Corporation	Entry 17.03.2006	Cancelled	Carried 183413 from: on:	1
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All datas

In	Ca	Business name	Ref	Legal seat
1		Heppenstall Technology AG	1	Cham

In	Ca	Share capital (CHF)	Paid in (CHF)	Shares	In	Ca	Company address
1		250'000.00	250'000.00	250 vinkulierte Namenaktien zu CHF 1000.00	1		Gewerbstrasse 5 6330 Cham

In	Ca	Purpose
1		Entwicklung und Vertrieb von Transport- und Handlingsystemen, insbesondere für schwere Lasten für Hüttenwerke sowie Erbringung verschiedener Dienstleistungen wie Engineering und Vermittlung technischen Know-hows; kann gewerbliche Schutzrechte aller Art verwalten und verwerten, Handel mit Waren aller Art betreiben, Immobilien erwerben, halten und veräussern, Tochtergesellschaften errichten sowie sich an anderen Unternehmen beteiligen

In	Ca	Remarks	Ref	Date of the acts
			1	16.03.2006

In	Ca	Qualified facts	Ref	Official publication
			1	SHAB

In	Ca	Branch offices	In	Ca	Branch offices

Vis	Ref	No journal	Date	SOGC	Date SOGC	Page / Id	Vis	Ref	No journal	Date	SOGC	Date SOGC	Page / Id
ZG	1	3553	17.03.2006	58	23.03.2006	18 / 3300644							
ZG	2	21620	21.12.2009	251	28.12.2009	31 / 5414932							

In	Mo	Ca	Personal Data	Function	Signature
1		2m	Stocker, Beat, von Gunzwil, in Sins	member of the board of directors	single signature
1		2	Treuhand von Flüe AG, in Zug Stocker, Beat, von Gunzwil, in Sins	auditor delegate of the board of directors	single signature
2			Truttmann, Dr. Paul A., von Seedorf, in Oberrieden	president of the board of directors	single signature

Zug, 08.04.2013 18:52

The information above is given with not commitment and is in no way legally binding. Only the company record (extract) issued and certified by the commercial Registry Office of Zoug and the text published in the Swiss Commercial Gazette are binding.

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